

Remarks

A. Pending Claims

Claims 531, 533-537, 539, 541-556, 558, 560, 563-609, 5396, 5397, 5400-5403, and 5529-5616 are pending. Claim 5532 has been amended.

B. 35 U.S.C. 112 Rejections

The Examiner rejected claim 5532 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 5532 has been amended to describe a combination of features including: “wherein an average heating rate (*h*) of the selected volume is about 1 °C/day.” Applicant respectfully requests removal of the rejection of claim 5532.

C. Provisional Double Patenting Rejection

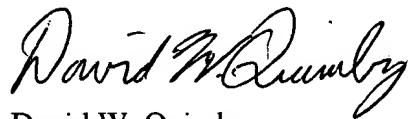
The Examiner provisionally rejected claims 531, 533-537, 539, 541-556, 558, 560, 563-609, 5396, 5397, 5400-5403, and 5529-5616 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 531-556 and 558-609 of copending U.S. Patent Application No. 09/841,430. Applicant does not believe that a terminal disclaimer is needed for the present application and the above noted application, but in the interest of expediency, a terminal disclaimer for the applications will be submitted as a separate document.

D. Additional Remarks

Applicant submits that all claims are in condition for allowance. Favorable consideration is respectfully requested.

Applicant believes that no fees are due in association with the filing of this response and the accompanying documents. If an extension of time is required, Applicant hereby requests the appropriate extension of time. If any fees are required, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5659-08100/EBM.

Respectfully submitted,



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